

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x,
OLABISI SALIS,

07 CV 6164 (LMM)

Plaintiff,

-against-

CROSS-CLAIM

AMERICAN EXPORT LINES,
ATLANTIC CONTAINER LINE,

Defendants.

-----x

Defendant ATLANTIC CONTAINER LINE ("ACL") by its attorneys, MAHONEY & KEANE, LLP, for its Cross-Claim against defendant AMERICAN EXPORT LINES, alleges upon information and belief as follows:

FIRST: This is a claim under the Court's admiralty and maritime Jurisdiction, and under the Court's diversity and pendent jurisdiction, made without waiver of any jurisdictional defenses or rights to proceed in an alternative forum.

SECOND: That at all times mentioned hereafter ACL was and is a corporation duly organized and existing pursuant to the laws of a foreign country.

THIRD: That defendant AMERICAN EXPORT LINES is a corporation duly organized and existing pursuant to the laws of one of the States of the United States.

FOURTH: That if plaintiff suffered any loss and/or damage, which is denied, the loss and/or damage was caused solely

by the negligence, breach of contract (express or implied) breach of warranty (express or implied) and/or the fault of the co-defendant AMERICAN EXPORT LINES.

FIFTH: That if defendant ACL is found responsible for any of the loss and/or damage sustained by plaintiff herein, defendant ACL is entitled to indemnification and/or contribution in whole or in part from the co-defendant AMERICAN EXPORT LINES for said losses and/or damage including costs and reasonable counsel fees.

WHEREFORE, defendant ACL demands judgment awarding defendant ACL costs, fees, including reasonable attorneys fees and disbursements of this action, and further demands judgment against the co-defendant AMERICAN EXPORT LINES, for all sums which may be recovered by plaintiff against the defendant ACL, costs, fees including reasonable attorneys fees and disbursements of this action, and for such other and further relief as to the Court may seem just and proper.

Dated: New York, New York
August 16, 2007

Respectfully submitted,

MAHONEY & KEANE, LLP
Attorneys for Defendant
ATLANTIC CONTAINER LINE

By: 

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